

**SENATE JOURNAL
63RD LEGISLATURE
NINETEENTH LEGISLATIVE DAY**

Helena, Montana
January 29, 2013

Senate Chambers
State Capitol

Senate convened at 1:01 p.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair): 1/29/2013

Correctly printed: **SB 2, SB 12, SB 21, SB 45, SB 63, SB 117, SB 134, SB 145, SB 176, SB 198, SB 199, SB 200, SB 201, SB 202, SB 203, SR 4, SR 5, SJR 3, HB 92.**

Correctly engrossed: **SB 28, SB 137, SB 144.**

Transmitted to the House: **SB 49, SB 116, SB 123, SJR 6.**

SPECIAL ORDERS OF THE DAY

Senator Brenden introduced Jason DeShaw from Plentywood, Montana, who entertained Senate members.

Senator Taylor introduced this week's pages:

Brian Fox, Helena
Dan Hansen, Helena
Chad Hertz, Belgrade
Austin Schreder, Great Falls
Catherine Warner, Florence

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Brown, Chair): 1/28/2013
SB 162, do pass. Report adopted.

NATURAL RESOURCES (Vincent, Chair): 1/25/2013
SB 18, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "AVULSION;"

Insert: "CREATING A PROCESS TO CLARIFY OWNERSHIP AFTER AN AVULSION OF ABANDONED BEDS OF RIVERS AND STREAMS NOT ADJUDICATED FOR TITLE;"

2. Title, page 1, line 7.

Following: "AMENDING"

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Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 77-1-103"

3. Page 1, line 12.

Strike: "bed of navigable"

4. Page 1, line 12 through line 13.

Strike: "Subject to" on line 12 through "if a navigable" on line 13

Insert: "If a"

5. Page 1, line 14.

Following: "avulsion"

Insert: "and if the segment of the river or stream where the avulsion occurred has been adjudicated as navigable for title purposes by a court of competent jurisdiction"

6. Page 1, line 22 through line 26.

Strike: "The department" on line 22 through "sale." line 26

Insert: "If the department determines that the new channel was formed by an avulsion and the old channel is abandoned, the department shall recommend to the board of land commissioners that the state and the affected owner exchange quitclaim deeds for the properties affected by the avulsion."

7. Page 1, line 27.

Following: "the board"

Insert: "and the exchange of quitclaim deeds"

8. Page 2, line 1.

Strike: "board approves the transfer or sale"

Insert: "quitclaim deeds are exchanged"

9. Page 2, line 6 through line 7.

Strike: subsection (8) in its entirety

Insert: "(8)(a) If an avulsion occurs on a segment of a river or stream that has not been adjudicated as navigable for title purposes by a court of competent jurisdiction but the department determines that historic evidence exists that the segment of river or stream was navigable at the time of statehood, an owner may seek to clarify title to the property affected by the avulsion.

(b) To seek title clarification, the affected owner shall submit the information to the department as required by subsection (2).

(c) If the department determines that the new channel was formed by an avulsion and that the old channel is abandoned, the department shall recommend to the board that the board issue a disclaimer of interest for the abandoned channel.

(d) Upon approval by the board, the affected owner may cite the disclaimer of interest to

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support an ownership claim in a quiet title action filed in a district court.

(e) Upon obtaining a quiet title judgment on the abandoned channel, the affected owner shall notify the department of revenue and the clerk and recorder of the county in which the affected property is located of the change in ownership and submit any information necessary to update the applicable ownership records.

(f) The land constituting the old channel is subject to property taxation payable by the affected owner from the date of the quiet title judgement."

10. Page 2, line 8 through line 9.

Following: "section" on line 8

Insert: ", "

Strike: ":" on line 8 through "(a)" on line 9

11. Page 2, line 11 through line 13.

Strike: ";" on line 11 through "jurisdiction" on line 13

12. Page 2, line 16 through line 17.

Strike: "Except as" on line 16 through "2, the" on line 17

Insert: "The"

13. Page 2, line 19 through line 21.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

14. Page 2, line 30 through page 3, line 1.

Following: "section" on line 30

Insert: ", "

Strike: ":" on page 2, line 30 through "(a)" on page 3, line 1

15. Page 3, line 1 through line 2.

Following: "over it" on line 1

Insert: "at the low water mark"

Strike: "1" on page 3, line 1 through "[section 1]" on line 2

16. Page 3, line 4 through line 14.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 154, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "LANDS;"

Insert: "REMOVING THE REQUIREMENTS FOR THE ANNUAL TIMBER SALE TARGET;"

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2. Page 1, line 20 through line 21.

Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Arthun, Chair):

1/28/2013

SB 122, do pass. Report adopted.

TAXATION (Tutvedt, Chair):

1/29/2013

SB 96, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "each calendar year"

Insert: "the fiscal years ending June 30, 2014, and June 30, 2015"

2. Page 2, line 3.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2015"

3. Page 2, line 6.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

4. Page 2, lines 8 and 9.

Strike: "August" on line 8 through "years" on line 9

Insert: "June 15, 2014"

5. Page 2, line 12.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2015"

6. Page 2, line 14.

Strike: "all"

Following: "other"

Insert: "the"

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Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

7. Page 2, lines 16 and 17.

Following: "November 30" on line 16

Insert: ", 2014"

Strike: "following" on line 16 through "years" on line 17

8. Page 2, line 19.

Strike: "each"

Insert: "the"

Following: "year"

Insert: "ending June 30, 2015"

9. Page 2, lines 19 and 20.

Strike: "in" on line 19 through "occur" on line 20

10. Page 2, line 25.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

11. Page 2, lines 27 and 28.

Strike: "August" on line 27 through "years" on line 28

Insert: "June 15, 2014"

12. Page 3, line 1.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2015"

13. Page 3, line 4.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

14. Page 3, lines 6 and 7.

Strike: "August" on line 6 through "years" on line 7

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Insert: "June 15, 2014"

15. Page 3, line 14.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2015"

16. Page 3, line 16.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

17. Page 3, line 18.

Following: "November 30"

Insert: ", 2014"

Strike: "following each of those fiscal years"

18. Page 3, line 22.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2015"

19. Page 3, line 25.

Strike: "all"

Following: "other"

Insert: "the"

Strike: "years in which rate reductions occur"

Insert: "year ending June 30, 2014"

20. Page 3, line 27.

Following: "November 30"

Insert: ", 2014"

Strike: "following each of those fiscal years"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

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House bills passed and transmitted to the Senate for concurrence:

1/28/2013

HB 130, introduced by Fitzpatrick

HB 145, introduced by Harris

HB 172, introduced by O'Hara

MOTIONS

Senator Fielder moved to change her third reading vote on **SB 123** from No to Yes. Without objection, so ordered. [Vote change reflected in previous day's journal.]

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 204, introduced by Jent, referred to Fish and Game.

SB 205, introduced by Wanzenried, referred to Judiciary.

SB 206, introduced by Wanzenried, referred to Judiciary.

SB 207, introduced by Van Dyk, referred to Judiciary.

SB 208, introduced by Dick Barrett, Kaufmann, referred to Taxation.

SB 209, introduced by Arthun, Bangert, referred to Taxation.

SB 210, introduced by Jackson, Augare, Debby Barrett, G. Bennett, Blyton, Boulanger, Brenden, D. Brown, Doane, Edmunds, Fielder, Fiscus, Galt, Halvorson, Hamlett, Kerns, Laszloffy, Lavin, Lenz, Murphy, Redfield, Rosendale, Sales, Salomon, C. Smith, Taylor, Thomas, Warburton, Washburn, Webb, referred to Judiciary.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 9, introduced by Taylor, Lewis, referred to Local Government.

SJR 10, introduced by Windy Boy, Augare, Ballance, Brockie, T. Brown, Buttrey, Hamlett, Hollandsworth, D. Jones, L. Jones, Keane, Pease-Lopez, Ripley, Stewart-Peregoy, Thomas, Vuckovich, referred to Education and Cultural Resources.

The following House bill was introduced, read first time, and referred to committee:

HB 73, introduced by Flynn (by request of the Department of Fish, Wildlife, and Parks), referred to Fish and Game.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Taylor in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on

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second reading, recommend as follows:

SB 31 - Senator Debby Barrett moved **SB 31** do pass.

SB 31 - Senator Peterson moved **SB 31**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Strike: "EXISTING"

2. Page 3, line 8 through line 9.

Strike: "an" on line 8 through "existing" on line 9

Insert: "a"

3. Page 3, line 9.

Strike: "before"

Insert: "after"

Strike: "2005"

Insert: "2013"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Hamlett, Jackson, Jent, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Ripley, Rosendale, Sonju, Thomas, Tutvedt, Van Dyk, Vincent, Webb.
Total 30

Nays: Augare, D. Brown, Caferro, Facey, Fielder, Jergeson, Kaufmann, Phillips, Priest, Sales, Sesso, Stewart-Peregoy, Taylor, Tropila, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Mr. President.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 31 - Senator Debby Barrett moved **SB 31**, as amended, do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jones, Keane, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.
Total 34

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Nays: Augare, Barrett Dick, Blewett, Caferro, Facey, Jergeson, Kaufmann, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Windy Boy.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 109 - Senator Rosendale moved **SB 109** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Buttrey, Fielder, Jackson, Jent, Lewis, Moore, Murphy, Peterson, Phillips, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 27

Nays: Augare, Barrett Dick, Blewett, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Ripley, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 108 - Senator T. Brown moved **SB 108** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich.
Total 46

Nays: Blewett, Priest, Vincent, Mr. President.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SB 94 - Senator D. Brown moved **SB 94** do pass. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, Caferro, Fielder, Hamlett, Jackson, Jent, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 30

Nays: Arthun, Barrett Dick, Blewett, T. Brown, Buttrey, Driscoll, Facey, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 104 - Senator Webb moved **SB 104** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 136 - Senator Larsen moved **SB 136** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr.

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President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 158 - Senator Thomas moved **SB 158** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.
Total 49

Nays: Wittich.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 40 - Senator Buttrey moved **SB 40** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SB 48 - Senator Jergeson moved **SB 48** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.

Total 42

Nays: Fielder, Moore, Priest, Rosendale, Sales, Vincent, Walker, Wittich.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 77 - Senator Brenden moved **SB 77** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.

Total 47

Nays: Tutvedt, Webb, Wittich.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 101 - Senator Facey moved **SB 101** do pass. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk,

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Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 48

Nays: Arntzen, Ripley.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 132 - Senator Jergeson moved **SB 132** do pass. Motion carried as follows:

Yeas: Augare, Barrett Dick, Blewett, Boulanger, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 32

Nays: Arntzen, Arthun, Barrett Debby, Brenden, D. Brown, Buttrey, Fielder, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Vincent, Walker, Webb, Wittich, Mr. President.
Total 18

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 133 - Senator Rosendale moved **SB 133** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.
Total 45

Nays: Kaufmann, Malek, Stewart-Peregoy, Wanzenried, Windy Boy.
Total 5

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

HB 20 - Senator Ripley moved **HB 20** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 32

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Jent, Lewis, Priest, Sales, Sonju, Taylor, Vincent, Walker, Webb, Wittich, Mr. President.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 25 - Senator L. Jones moved **HB 25** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 42 - Senator Driscoll moved **HB 42** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips,

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Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wittich moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Taylor moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 2 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso,

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Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.

Total 41

Nays: Boulanger, Brenden, Fielder, Priest, Sales, Sonju, Vincent, Walker, Wittich.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 45 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 46

Nays: Facey, Kaufmann, Malek, Wanzenried.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 63 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 117 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 21 passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 134 passed as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 12 passed as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Fielder, Jackson, Jent, Jones, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich.

Total 33

Nays: Augare, Barrett Dick, Blewett, Driscoll, Facey, Hamlett, Jergeson, Kaufmann, Keane, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Mr. President.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

MOTIONS

Senator Wittich moved **SB 108** and **SB 136** be moved to the Finance and Claims committee. Without objection, so ordered.

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Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Wednesday, January 30, 2013, the 20th legislative day. Motion carried.

Senate adjourned at 3:03 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate